

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ALICE KRAMER, as Personal)
Representative of the Estate of Arthur)
Kramer,)
)
Plaintiff,)
)
v.)
)
LOCKWOOD PENSION SERVICES,)
INC., TALL TREE ADVISORS, INC.,)
LIFE PRODUCTS CLEARING, LLC,)
TRANSAMERICA OCCIDENTAL LIFE)
INSURANCE CO., PHOENIX LIFE)
INSURANCE CO., LINCOLN LIFE &)
ANNUITY CO. OF NEW YORK, and)
JONATHAN S. BERCK,)
)
Defendants.)
)

**Civil Action No.
08 CV 2429 (DAB)(MHD)**

ECF Case

**NOTICE OF MOTION
TO INTERVENE**

PLEASE TAKE NOTICE that upon the annexed affirmation of Hector Gonzalez, affirmed under penalty of perjury September 4, 2008, and the exhibits annexed thereto, upon the accompanying Memorandum of Law in Support of Motion to Intervene, and upon all of the proceedings and papers filed herein, Lifemark S.A. ("Lifemark"), by its attorneys, respectfully moves this Court before the Honorable Deborah A. Batts, United States District Judge for the Southern District of New York, at the United States Courthouse located at 500 Pearl Street, New York, New York, on a date designated by the Court, to intervene as of right pursuant to Fed. R. Civ. P. 24(a)(2), as a third party plaintiff in order to assert the claims contained in the proposed Complaint, attached to the annexed Affirmation of Hector Gonzales as Exhibit A. In the alternative, Lifemark seeks permission to intervene pursuant to Fed. R. Civ. P. 24(b)(1)(B).

Dated: September 4, 2008
New York, New York

MAYER BROWN LLP

By: 
Hector Gonzalez

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